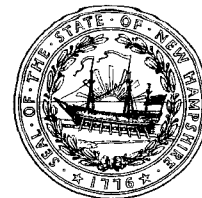




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

July 25, 2006

Mr. Lyle K. Balla
R.L. Balla, Inc.
Beryl Mountain Road
South Acworth, New Hampshire 03607

CERTIFIED MAIL (7005 1160 0004 7467 7243)
RETURN RECEIPT REQUESTED
NOTICE OF PAST VIOLATION
(Asb)

RE: Demolition at 292 Springfield Road, Charlestown, New Hampshire

Dear Mr. Balla:

On June 8, 2006, the New Hampshire Department of Environmental Services, Air Resources Division ("DES"), received information that you were in the process of demolishing the remains of a fire-damaged building located at 292 Springfield Road, Charlestown, New Hampshire ("the Property").

On June 9, 2006, DES personnel went to the Property in order to determine conformance with provisions of RSA 141-E and the NH Code of Admin. Rules Env-A 1800, *Asbestos Management and Control*, regulating asbestos abatement activities. DES personnel met with you and the owner of the Property, Mr. David Schroeder. DES personnel inspected the Property and took fourteen photographs of the demolition activity. DES personnel observed material that appeared to be asbestos transite board with a thickness of 1/8 inch, along with old asphalt roof singles, and obtained samples of each material for laboratory analysis. The laboratory analysis confirmed that the transite board material found at the Property was asbestos-containing material ("ACM").

The purpose of this letter is to notify you of the violations discovered during the inspection conducted on June 9, 2006. The specific violations are as follows:

1. Env-A 1803.03 requires each facility owner or operator to provide written notification to DES and the city/town health officer, as applicable to the worksite location, in accordance with Env-A 1803.06 at least 10 working days before any demolition activity begins. This notification is required regardless of the amount of ACM, if any, that is contained in the facility. DES never received written notification prior to demolition activity at the Property.
2. Env-A 1804.01 requires that before undertaking any demolition or renovation, each facility owner or operator shall provide for an inspection of the affected portion(s) of the facility for the presence of ACM. The inspection must be done by someone capable of identifying asbestos hazards and who has completed, at a minimum, a training course for asbestos inspectors. DES never received any information indicating that an inspection for ACM was performed at the Property.
3. Env-A 1805.09 requires that all regulated asbestos-containing material ("RACM") be removed prior to demolition of a structure. Broken transite board material was found in the debris pile at the Property, which is evidence that all RACM was not removed prior to the demolition.

No further action related to the listed violations is required. However, please be advised that prior to initiating any future renovation or demolition activities, an inspection for ACM is required. DES believes that you can avoid the improper disturbance of ACM and the health hazards and liability that are associated with exposure to asbestos by complying with Env-A 1800, *Asbestos Management and Control*.

If you believe that DES has cited these violations in error or have any questions or additional information regarding this matter, please contact Mr. Steve Cullinane, Asbestos Program Manager, Air Resources Division, at (603) 271-1373.

Sincerely,

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/asb

Enc.: Env-A 1800
Demolition/Renovation Notification Form

cc: H. Pilgram, EPA Region 1
G. Hamel, Legal Unit Administrator
Jon LeClair, Chair, Board of Selectmen, Town of Charlestown
Source File